IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 3361 of 1996

Between:

Haji Sardar, s/o.Mustiq Ahmed,aged about

50 years,occupation:Employee in Supplying Company

in Delhi, r/o.H.No.76/B, Azad Market,Delhi

..... PETITIONER

AND

1.The State of Andhra Pradesh represented

by its Secretary to Government, Medical and Health Department,

Secretariat,Hyderabad.

2.The Authorisation Committee represented by its

Chairman, Director of Medical Education, Andhra Pradesh,

Hyderabad.

3.Dr.Saharia,Renal Transplant Unit,

Mahaveer Hospital & Research Centre,

A.C.Guards, Hyderabad.

4.Rajender, s/o.Sukwinder, aged 27 years,

occupation:Employee in supplying Company in Delhi,

r/o.H.No.0078/B, Azad Market,Delhi

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in rejecting the joint request made by the petitioner and the 4th respondent for transplantation of kidney vide Proceedings No. 106/MA.B/95, dated 15-2-1996 as wholly arbitrary, highly illegal, unjust and unconstitutional being violative of Articles 14 and 21 of the Constitution of India, and contrary to the provisions of A.P.Transplantation of Human Organs Act,1995(Act No.24/1995) and consequently direct the 3rd respondent to conduct the Kidney Transplantation Operation by removing one Kidney from the 4th respondent and transplant the same to the petitioner.

Counsel for the Petitioner:MR.S.SARATH KUMAR

Counsel for the Respondents 1& 2: GP FOR MEDICAL HEALTH & FAMI.WELFARE

Counsel for the Respondents 3 & 4: None appeared.

The Court made the following

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ORDER:

Mr.V.Krishna Murthy, counsel representing the counsel for the petitioner, Mr. S.Sharath Kumar submitted that the matter in the writ petition has become infructuous. As such, the writ petition is dismissed as infructuous. Consequently interim orders, if any, shall stand vacated. No costs.

G.CHANDRAIAH,J

16/06/2005

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To

1.The Secretary to Government, State of Andhra Pradesh, Medical and Health Department,

Secretariat,Hyderabad.

2.The Chairman,Authorisation Committee, Director of Medical Education, Andhra Pradesh,Hyderabad.

3.Two CCs to G.P. for Medical Health & Family Welfare, High Court of A.P.Buildings,Hyderabad (OUT).

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